

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hidekazu MORI et al.

Application No.: 10/562,554

Confirmation No.: 8229

Filed: December 28, 2005

Art Unit: 2823

For: METHOD FOR PRODUCING ELECTRODE
FOR ELECTRIC DOUBLE LAYER
CAPACITOR

Examiner: K. A. Parendo

**COMMENTS ON STATEMENT OF REASONS
FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the October 7, 2010 Notice of Allowance and Allowability regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element.

Applicants believe that the Examiner has mischaracterized claim 1. Specifically, the Examiner comments on the distinctions between the present invention and the teachings of US 6,800,222 B1 ("Noguchi") at pages 4-5 of the Notice of Allowability. The Examiner states:

However, the PTFE [of Noguchi] is a different "binder" material than the particulate elastomer that is claimed. The prior art does

not make it obvious to use styrene/butadiene ("SBR") as a substitute for PFTE and used in dry form. Noguchi actually proposed using SBR (column 10, table, and lines 52+), blending 10/0 of it with 6% PFTE, and 85% activated carbon, but then took that blend and diluted it in water with 30% of the blend to 70% water. Thus, when SBR is used, it is diluted in 70% water, so this teaches against any straight use of SBR in Noguchi's example 1 in place of PTFE.


The Examiner appears to interpret the claims as requiring an SBR binder. However, present claim 1 recites that *"the particulate elastomer is selected from the group consisting of polybutadiene modified with a carboxyl group, polyisoprene modified with the carboxyl group and styrene/butadiene copolymer modified with the carboxyl group."*

The Examiner's Statement was not prepared by Applicants and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicants.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: January 6, 2011

Respectfully submitted,

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